# REMARKS

In response to the current Office Action, please consider the following remarks. Claims 19 and 20 have been cancelled. Claim 1 has been amended. New claims 21 and 22 have been added. Thus, claims 1-18 and 21-22 are currently pending in this Application.

## Claim Rejections - Statutory and Obvious Type Double Patenting

The Examiner has provisionally rejected claims 1-20 as statutory or obvious type double patenting in view of Application Nos. 08/798,704, 08/810,679, 08/799,787 and 08/808,882. Applicant has amended the claims in these co-pending applications as well as claim 1 in the present application. Applicant respectfully submits that the statutory and obvious type double patenting provisional rejections have been overcome and requests the Examiner withdraw the provisional rejection.

## 35 U.S.C. § 102 Rejection

The Examiner stated that claims 1-5 and 7-12 are rejected under 35 U.S.C. 102(e) as being anticipated by Templeton et al., U.S. Patent No. 5,692,126 (Templeton et al.). Applicant has amended claim 1 and respectfully submits the claims are now in position to overcome the rejection.

The claimed invention teaches a cluster computer system comprising a plurality of network accessible computers coupled to a network, where said network accessible computers implement host computer program means which permit the network accessible computers to operate as host computers for client computers coupled to said network, "said client computers controlling the functionality of said host computers," whereby input devices of said client computers can be used to generate inputs to said host computers, and such that image information generated by said host computers can be viewed by said client computers, and a cluster administration computer coupled to said plurality of network accessible computers to monitor the operation of said network accessible computers.

Contrary to the claimed invention in the present application, Templeton et al. discloses a health care information network that connects a data center with remote subscribers (column 4, lines 9-10) thus providing a data communications network (column 2, lines 42-43, 54-56). The remote subscribers may only search and download data stored on the data center. Templeton does not teach, hint or suggest a client computer controlling the functionality of a host computer.

The invention claimed in the present application is patentably distinguishable from Templeton et al. The claimed invention teaches that a client computer may "control the functionality" of a host computer. For example, the client computer can run a program on the host computer which provides the client computer with a virtual machine on the Internet (specification page 6, lines 24-27). This allows the client computer in the present invention to perform powerful operations that it may not have the resources or power to do itself. Unlike the present invention, Templeton does not disclose a client computer that may control the functionality of a host computer. To the contrary, Templeton discloses a network allowing subscriber computers to access and retrieve information from a data center. This data retrieval network merely allows the subscriber computers to inquire about and download the data from data center. Claim 1 has been amended to include the limitations discussed above. The Applicant respectfully submits that claim 1 is now in position to overcome this rejection and requests the Examiner to withdraw the rejection.

Dependent claims 2-5 and 7-12 are dependent on and directly or indirectly include all the limitations of independent claim 1. Applicant respectfully submits that dependent claims 2-5 and 7-12 are in position to overcome this rejection and requests the Examiner withdraw the rejection.

The Examiner stated that claims 13-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Templeton et al., U.S. Patent No. 5,692,126 (Templeton). Applicant respectfully traverses this rejection.

The claimed invention teaches a method for providing access to host computers by client computers over a computer network comprising "receiving a request for a host computer coupled to a computer network from a client computer coupled to said computer network, wherein the relationship of said host computer to said client computer is to be such that after said client computer becomes associated with a host computer, an input device of said client computer can be used to generate inputs to said host computer and such that image information generated by said host computer can be viewed by said client computer due to a host computer program means implemented on said host computer, *determining a suitable host computer for said client computer*, and informing said client computer of the network address of said suitable host computer, whereby said client computer can become associated with said host computer." In particular, the presently claimed invention includes a cluster administration computer (CAC) that receives information about a desired host computer from a client computer. The CAC then proceeds through a list of available host computers having different characteristics and attributes. When the CAC finds a suitable host computer, the CAC gives the client computer information regarding the host computer allowing the client to access the host.

Contrary to the claimed invention of the present application, Templeton et al. discloses a network manager 58 that checks traffic and performance status of the information network 40, monitors accounting and billing information, performs administration functions such as assigning subscriber passwords and managing resource and file access, and provides maintenance activity such as detecting and reporting problems. The manager also identifies hardware and software components of the health care information network and modifies the subscriber's software in response to a problem that arises during the HCIN operation, so as to ensure that the overall network 40 retains its integrity and conforms to requirements (column 6, lines 4-28). Templeton et al. does not teach, hint or suggest determining a suitable host computer for said client computer.

The claimed invention is patentably distinguishable from Templeton. Contrary to Templeton et al., the claimed invention teaches a cluster administration computer that find a suitable host computer for a client computer. The claimed invention receives information regarding a desired host computer from a client computer. The network then analyzes a list of several known host computers to determine if one of them would make a suitable host pursuant to the client computer's request. In contrast to the claimed invention, Templeton et al. does not keep records of or a list of more than one host computer. In fact, the only host computer disclosed in Templeton et al. is the health information data center. As a result, Templeton et al. differs from the claimed invention because it may not determine a suitable host among many hosts for the different needs of different clients. Templeton et al. discloses several clients retrieving data files and information from a single host computer. Claim 13 includes the distinguishing limitations discussed above. The Applicant respectfully submits that claim 13 is now in position to overcome this rejection and requests the Examiner to withdraw the rejection.

Dependent claims 14-18 are dependent on and directly or indirectly include all the limitations of independent claim 13. Applicant respectfully submits that dependent claims 14-18 are in position to overcome this rejection and requests the Examiner withdraw the rejection.

The Examiner stated that claims 19-20 are rejected under 35 U.S.C. 102(e) as being anticipated by Fielden et al., U.S. Patent No. 5,581,390 ("Fielden"). Applicant has cancelled claims 19 and 20.

## 35 USC §103 Rejection

The Examiner stated that claim 6 is rejected under 35 USC 103(a) as being unpatentable over Templeton in view of Van Hoff et al., (ISBN 0-201-48837-X). The Examiner states that

Templeton discloses a system enabling high speed transmission of voice, image and data and that Van Hoff discloses a Java Applet adapter.

As discussed above, the claimed invention as claimed in claim 1 is patentably distinguishable from Templeton. The claimed invention teaches a cluster computer system comprising a plurality of network accessible computers coupled to a network, where said network accessible computers implement host computer program means which permit the network accessible computers to operate as host computers for client computers coupled to said network, "said client computers controlling the functionality of said host computers," whereby input devices of said client computers can be used to generate inputs to said host computers, and such that image information generated by said host computers can be viewed by said client computers, and a cluster administration computer coupled to said plurality of network accessible computers to monitor the operation of said network accessible computers. Contrary to the claimed invention in the present application, Templeton et al. discloses a health care information network that connects a data center with remote subscribers (column 4, lines 9-10) thus providing a data communications network (column 2, lines 42-43, 54-56). The remote subscribers may only search and download data stored on the data center. Templeton does not teach, hint or suggest a client computer controlling the functionality of a host computer. Dependent claim 6 is dependent on and directly or indirectly include all the limitations of independent claim 1.

Furthermore, Van Hoff in combination with Templeton do not disclose the present invention as claimed in claim 6. Van Hoff discloses a web browser called HotJava that supports Java applets and may run on many types of computers. Van Hoff does not teach, hint or suggest a client computer controlling the functionality of a host computer. Further, Van Hoff does not teach, hint or suggest a cluster computer system wherein the client programs are Java applet programs and are transmitted to client computers via a TCP protocol network.
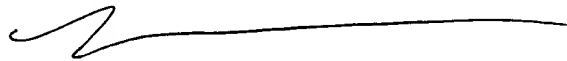
## Conclusion

For the foregoing reasons, Applicant submits that pending claims 1-18 and 21-22 are in condition for allowance, and respectfully request the withdrawal of the rejections and objections. Accordingly, a Notice of Allowance is respectfully requested.

Applicant has amended the claims in order to expedite prosecution of this application. Applicant reserves the right to claims of the originally presented scope and variants thereof in continuing applications.

Should the Examiner believe that a telephone conference would expedite the prosecution of this application, the undersigned can be reached at the telephone number set out below.

Respectfully submitted,
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